



EXCESS LAND SEALED BID SALE

REVISED SALES BOOKLET AS OF 1/10/2003

**ARE YOU LOOKING FOR COMMERCIAL
PROPERTY IN HUMBOLDT COUNTY?**

WHERE: 1423 Koster Street, Eureka



ITEM: Commercial-Service lot. The lot contains 23,577+/- s.f., 126 +/- feet of frontage on West 14th Street and 284+/- feet of frontage on Koster Street. This is a nice corner lot. One block from Highway 101 – Broadway in Eureka, CA.

OPEN HOUSE: Monday, January 27, 2003, 12 noon. – 3:00 p.m.
1423 Koster Street, Humboldt County, Eureka, CA.
APN 003-143-09.

MINIMUM BID \$45,000.00 – **(REVISED SALE BOOKLET, 01/10/03)**

BIDS DUE: Pending revised date.

BID OPENING: Pending revised date.

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WE ARE ON THE INTERNET!

**You can find a statewide list of all Caltrans excess
properties for sale at our web site:**

<http://www.dot.ca.gov/property/>

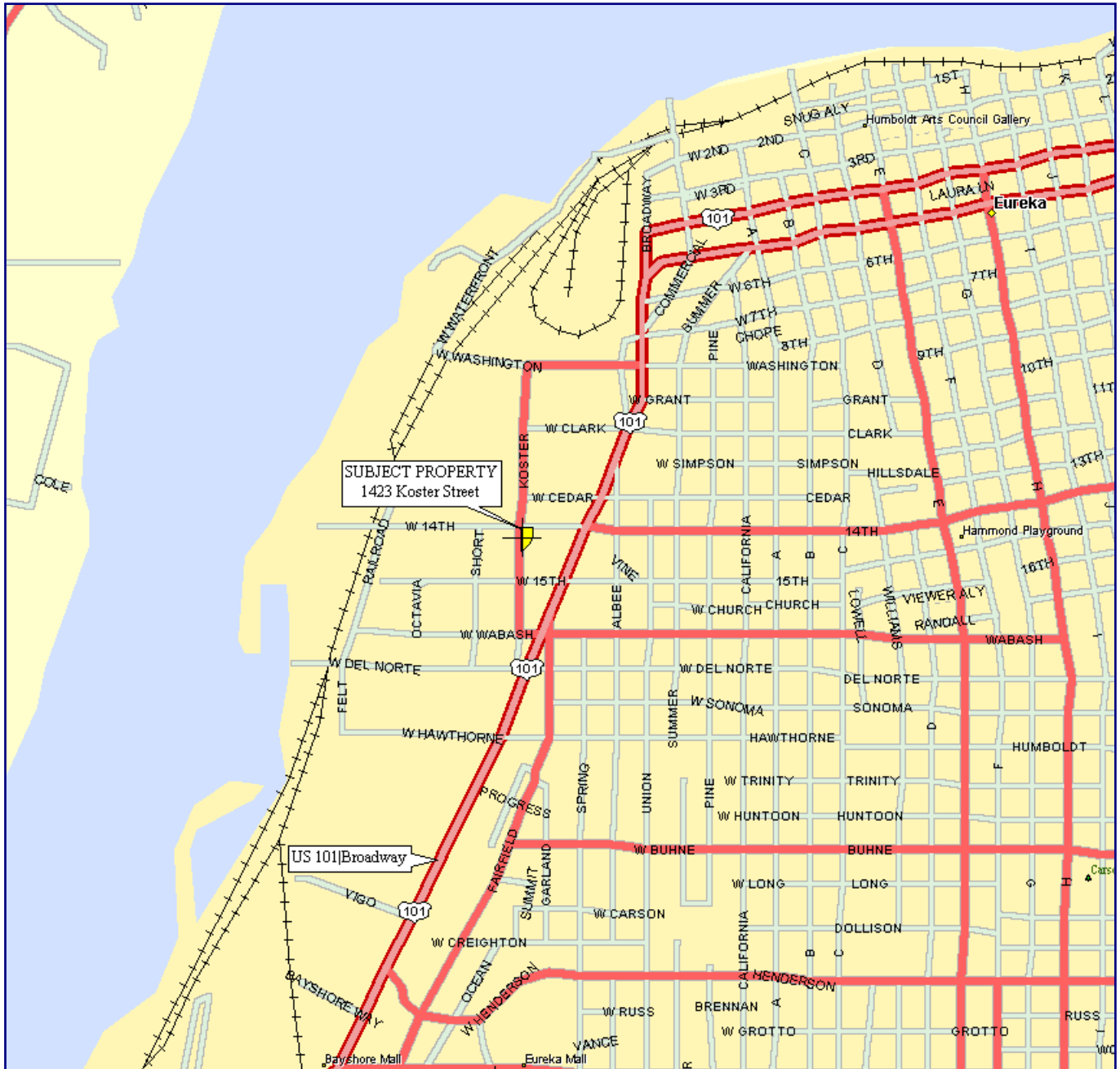
See you there!

All Caltrans employees may bid to acquire excess State property except employees who have direct access to information not generally available to the public or who influence the purchase or sale of right of way or other real property.

The information contained in this brochure has been obtained from sources deemed reliable, but accuracy and completeness are not guaranteed.

LOCATION MAP

Map © 1998 Delorme, Inc. Used in accordance with the license agreement.



CALTRANS SEALED BID SALE

1423 KOSTER STREET

126+/- frontage on West 14th Street

284+/- frontage on Koster Street

One block from US 101 – Broadway

23,577+/- s.f. corner lot

APN 003-143-09

OPEN HOUSE NOTICE

All advertised property will be open for public viewing at the following times:

Monday, January 27, 2003 - 12:00 noon to 3:00 p.m.

The information contained in these sources is deemed reliable, but accuracy and completeness are not guaranteed. This material is provided merely as a courtesy to the bidders. All bidders are encouraged to make visual inspections during the open house. All properties are sold in an “**as is**” condition. An adjustment was made before setting the minimum bid.

The property offered for sale in this brochure was built prior to 1978. Please read the **lead warning** included in this brochure.

NO PERSONAL CHECKS OR CASH ACCEPTED.

For further information, call, or write the Excess Lands Department, Department of Transportation, P.O. Box 3700, Eureka, CA 95502-3700, phone (707) 445-6426.

E-mail address: nancy.hueske@dot.ca.gov

The lobby receptionist's hours are from 7:30 a.m. to 5:00 p.m. weekdays, located at 1656 Union Street.

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BID INFORMATION

BID DEADLINE: Pending revised date.

BID OPENING DATE AND TIME: PENDING REVISED DATE.

BID LOCATION: Department. of Transportation, 1656 Union Street (corner of Wabash & Union), Room 59 (basement), Eureka, California.

BID DEPOSIT: In order to participate in this public sale, a prospective bidder must submit a \$1,000 bid deposit for each sale item. The bid deposit will be by **cashier's check, certified check or money order only** payable to the Department of Transportation. **NO personal checks or cash will be accepted.** The bid deposit will be refunded to all unsuccessful bidders via certified mail during the week following the bid opening. The successful bidder will use the \$1,000 bid deposit as part of their 10% option deposit.

OPTION DEPOSIT: The successful bidder will be required to deposit with the State, money in the amount of 10% of the minimum bid. The successful bidder will use their bid deposit as part of this 10% deposit. **PENDING NEW DATE.** All payments must be by cashier's check, certified check, or money order made payable to the Department of Transportation. **No personal checks or cash accepted.**

TERMS: CASH – 60-DAY OPTION PERIOD: Pending revised date. Financing is the responsibility of the successful bidder together with all costs, including appraisal and loan fees, credit reports, points, title insurance premiums, surveys, documentary transfer taxes, escrow and recording fees, and any other fees or charges. **Caltrans does not participate in any HUD, VA, or FHA financing on the properties offered in this brochure.**

MINIMUM BID: The minimum bid for this sale is **\$45,000.00**

TIE BIDS: In the case of identical high bids, all tied bidders will be given an additional one-week period to submit new bids. In this event, the State will give all tied bidders written notification of this additional bidding period.

OPTION AGREEMENT: The Bid form included in this package serves as the “Option to Purchase” agreement. **The successful bidder shall be bound to the terms specified in both the “Option to Purchase” agreement and the “Sealed Bid Sale” brochure.** The Option is **not assignable or transferable**. Any sale by the “Option to Purchase” agreement is subject to the approval of the California Transportation Commission (CTC). After approval, the successful bidder may take possession after the balance of the purchase price is received and the Director’s Deed is recorded. The Option Deposit will be credited toward the purchase price.

SECOND HIGH BID: In the event the high bidder fails to exercise their option within the Option Period or defaults in completion of the sale, **the State may, at its discretion**, offer the option to the second highest bidder. If the second highest bidder accepts the option, the deposit requirements and terms of option to purchase shall be the same as stated in this notice of sale except that the Option Period shall commence, as stated, on the day the option is awarded by the State.

FINANCING – CASH TERMS ONLY: **All properties are sold on a cash basis.** The full bid price is to be paid to Caltrans on or before the end of the Option Period, **pending revised date.**

***Financing is the responsibility of the successful high bidder together with all costs, including appraisal and loan fees, credit reports, points, title insurance premiums, documentary transfer taxes, escrow and recording fees, repairs, including those recommended in standard structural pest control reports, or any other fees or charges by whatever name known. **Caltrans will not participate in any HUD, VA, or FHA insured financing on any of the properties offered in this sale.**

ESCROW: The successful bidder **may** open an escrow at **his/her option** and all escrow fees are the responsibility of the successful bidder. If the successful bidder chooses to open an escrow, the escrow officer shall notify the Department of Transportation, by letter, within **ten (10)** days from the date of the sale. The notification letter shall be mailed directly to: Caltrans, Attention: Right of Way, Excess Lands Section, P.O. Box 3700, Eureka, CA 95502-3700. Possession of any unit will not be given until the close of escrow.

REPAIRS: All properties will be sold on an “**as is**” basis, and repairs, if any, are the responsibility of the successful bidder. The State makes no warranties, oral, written or implied as to any of the property improvements. Condition of all improvements is a “**risk**” that the successful bidder must accept. Bidders are strongly encouraged to attend the open house tours and fully investigate the improvement condition.

TERMS OF OPTION PURCHASE

CASH SALE: The State is to receive the total purchase price in the form of a cashier’s check, certified check or money order within the time specified.

OPTION DEPOSIT: All Option Deposits must be either **Cashier’s Check, Certified Check, or Money Order** made payable to the Department of Transportation. **NO personal checks or cash will be accepted.** Bids submitted in any other form of deposit will not be considered. **The successful bidder’s Option Deposit will be retained by Caltrans and not placed in escrow.**

OPTION PERIOD: The Option Deposit will be the consideration for the 60-Day Option Period. **Pending revised date.** The balance of the purchase price shall be **paid on or before** the expiration of the Option Period. There may be situations wherein the Option holder is unable to complete the terms of this Option within the time allowed for reasons beyond his/her control. Under these circumstances, the State, at its discretion, may elect to extend the Option Period. **A charge of 1% of the bid price per month will be made for such extensions. This charge shall not be applied toward the purchase price.**

FORFEITURE OF DEPOSIT: The Option Deposit (**10% of bid**) is **NON-REFUNDABLE** in the event that the successful bidder fails to exercise the Option within the Option Period or extensions thereof as outlined above in “Option Period” or fails to comply with any and all terms of the Option as herein provided. However, if any sale is not approved by the California Transportation Commission, the Option Deposit will be refunded without interest.

All payments must be made payable to: Department of Transportation. The mailing address is: Department of Transportation, Attention: Right of Way, Excess Lands Section, P.O. Box 3700, Eureka, CA 95502-3700.

FEES: The successful bidder shall pay all recording fees, documentary stamp taxes, or other real estate transaction taxes, or fees by whatever name known, including escrow fees or broker's commission, if any, and personal property sales taxes, where applicable.

TITLE: The properties are warranted to be free of any liens, court judgments, loans (Deeds of Trust, etc.) and delinquent or unpaid property taxes. The sale of these properties are subject to all matters of public record and any easements, claims of easements, or reservations not of record. **The Department of Transportation does not assume any liability for any possible encumbrances on these properties.** The right, title, and interest in this property shall not exceed that vested in the State of California. Prospective bidders should consult local title companies if more complete information regarding the title of the property is required.

LAND USE NOTE: The concerned local agency should be contacted to determine whether, in the future, the parcel may come under the provisions of the Subdivision Map Act, if the owner wants to adjust lot lines, divide the property, or sell each separately described parcel. Caltrans is not responsible for land use determinations. All properties are sold in an "as is" condition. See local Planning Department for permitted land uses.

HAZARDOUS WASTE: In February 1997, a Hazardous Waste Preliminary Site Investigation Report was Prepared by PSI/Environmental Geotechnical Construction, the Research Division. (See pages 10 & 11 for the summary of this report.) Please note the report findings regarding lead levels on the site. A copy of the entire report will be provided upon request, at bidder's cost. In July 2002, an Asbestos & Lead-Containing Paint Survey was conducted by GeoCon Consultants, Inc. (see pages 10-11).

"AS IS " SALE: The property is sold in an "AS IS" condition. The Successful Bidder agrees that, as of the close of escrow, it will be acquiring the property in an "AS IS" condition with all faults and conditions then existing on the property, including any hazardous substances or hazardous wastes that may be located on, under, or around the property, whether known or unknown, and successful Bidder assumes all responsibilities for such faults and conditions.

SEISMIC AREA: Eureka is located within a known, active seismic area. No seismic retrofitting has been done on any of the properties offered for sale in this brochure. All properties are sold in an "AS IS" condition.

TRANSPORTATION COMMISSION: The sale item in this brochure shall be subject to approval by the California Transportation Commission. The proposed sale is expected to be presented to the CTC at their scheduled meeting in the Spring/Summer 2003, pending on the bid dates. A minimum of twelve working days after the meeting are needed for additional processing prior to delivery of a fully executed instrument to the buyer or agent.

ZONING: It is the responsibility of all prospective purchases to **fully investigate** zoning and land use restrictions with local authorities concerning the potential uses of the sale property. **Caltrans makes no warranty regarding whether or not the current use of the property is in compliance with the present zoning /or permitted use.**

TAXES: The properties are now exempt from local taxes, but will be returned to the tax rolls upon recording the Director's Deed to the successful bidder.

ENVIRONMENTAL ACT: The sale of this excess property is not exempt from the requirements of the California Environmental Quality Act of 1970 (CEQA). The "CE" or "Negative Declaration" was pending at the time this brochure was printed but will be completed prior to the sale of the property. After completion, the CE or Negative Declaration will be on file at the Department of Transportation, 1656 Union Street, Eureka, California. The environmental determination by Caltrans for the sale of these properties will not mean that the buyer may not have to obtain subsequent environmental documents or prepare the same as required by any local agency. Buyer should also be aware that if buyer seeks some form of approval of permit for development subsequent to buyer's purchase of this excess property, the local agency may require an environmental document and/or environmental analysis before giving its approval or permit.

SURVEY: No warranty is made by Caltrans relative to ground location of property lines other than the monumented highway right of way line. Any independent survey is at purchaser's expense.

DISQUALIFIED BIDS: The State of California reserves the right to reject any and all bids and waive any information or irregularity in any bid or to accept any bid deemed in the best interest of the State at any time prior to the recordation of the Director's Deed. **An agreement between two or more prospective bidders to set their bid price, or not to submit bids against each other, with the purpose of purchasing these parcels at a more advantageous price or terms, is prohibited.** Where such agreements come to the knowledge of the Department of Transportation, any bids made pursuant to such an agreement **shall be disqualified.** The above prohibitions do not preclude single bids submitted by one or more persons or entities or both as partners or joint ventures or other similar legally permissible combinations. The State of California also reserves the right to cancel the sale in part or in its entirety at any time prior to recordation of the Director's Deed. In the event of cancellation of sale and/or rejection of any bids, the affected deposits shall be refunded without interest.

1423 Koster Street, Eureka

Director's Deed 007661-01-01

Bid Deposit: \$1,000 in the form of a Cashier's Check, Certified Check or Money Order

Minimum Bid: \$45,000.00

Escrow: 60-day option, pending the revised bid date.

Address: 1423 Street on the corner of Koster and W. 14th Streets, Eureka, CA 95501

Location: One block west of US Highway 101 - Broadway.

Lot Size & Shape: 23,577+/- s.f. and Irregular

Topography: Level

Zoning as of November 22, 2002: "CS" – Service Commercial, located in the Redevelopment Area and in the coastal zone, categorical exclusion.

Utilities: All public utilities are available.

Access: 284+/- ft. frontage on Koster Street, 126+/- ft. on W. 14th Street

LIMITATIONS AND INSPECTION

In February 1997, a Hazardous Waste Preliminary Site Investigation Report was prepared by PSI/Environmental Geotechnical Construction, the Research Division. (See pages 10 & 11 for the summary of this report.) Please note the report findings regarding lead levels on the site. A copy of the entire report will be provided upon request, at bidder's cost. In July 2002, an Asbestos & Lead-Containing Paint Survey was conducted by GeoCon Consultants, Inc. (see pages 10-11).

Interested parties, upon request and with written permission, may inspect the property and conduct core and soil sample tests.

The State makes no warranty as to existing or future zoning. Prospective bidders should confer with local planning officials to determine feasibility of any intended use of the property.

The sale of this property is subject to all matters of public record and any easements, claims of easements, or reservations not of record. **The Department of Transportation does not assume any liability for any possible encumbrances on this property.** Such information as the Department of Transportation may have on this subject will be furnished upon request.

Prospective bidders should consult with local title companies if more complete information regarding the title of the property is required.



Sale Item
1423 Koster Street
Eureka, CA

LEAD WARNING

"Every purchaser of any interest in residential real property on which a residential dwelling was built prior to 1978 is notified that such property may present exposure to lead from lead-based paint that may place young children at risk of developing lead poisoning. Lead poisoning in young children may produce permanent neurological damage, including learning disabilities, reduced intelligence quotient, behavioral problems, and impaired memory. Lead poisoning also poses a particular risk to pregnant women. The seller of any interest in residential real property is required to provide the buyer with any information on lead-based paint hazards from risk assessments or inspections in the seller's possession and notify the buyer of any known lead-based paint hazards. A risk assessment or inspection for possible lead-based paint hazards is recommended prior to purchase."

Caltrans Investigative Results

The following is extracted from the report dated July 15, 2002 from Caltrans Investigative results of the Asbestos:

4.1 – Asbestos Analytical Results

4.2.2 – 1423 Koster Street

Asbestos was not detected in samples of suspect materials collected from 1423 Koster Street during Geocon's Survey. Laboratory analytical results are summarized in Table 1.

4.2 – Paint Analytical Results

4.2.1 – 1423 Koster Street

Approximately 3,500 square feet of peeling and flaking green exterior paint exhibited total lead concentrations of 770 and 890 mg/kg following EPA Test Method 6010 and a soluble lead concentration of 54 mg/l following EPA Test Method 6010.

Approximately 10,000 square feet of peeling and flaking gray exterior paint exhibited total lead concentrations of 2,100 and 1,600 mg/kg following EPA Test Method 6010 and a soluble lead concentration of 5.3 mg/l using TCLP following EPA Test Method 1311.

Peeling and flaking white interior paint exhibited total lead concentrations of 190 and 1,200 mg/kg following EPA Test Method 6010 and a soluble lead concentration of 2.5 mg/l using the TCLP following EPA Test Method 1311. Geocon was not able to quantify the paint.

Laboratory analytical results are summarized in Table 2.

5.0 – CONCLUSIONS AND RECOMMENDATIONS

Based on our findings, Geocon recommends the following:

5.2 – Lead Paint

Based on the analytical test results, Geocon recommends that peeling/flaking paints identified during this survey be removed and disposed of prior to demolition or other activities that would disturb the materials. The contractor should be required to use personnel who have lead-related construction certification as supervisors or workers, as appropriate, from the California DHS for LCP removal work. Loose and peeling/flaking LCP require removal prior to demolition for waste segregation purposes: to separate potentially hazardous (Category III concentrated lead) waste from non-hazardous demolition debris (Category II intact lead-painted architectural components). Geocon was not able to quantify peeling/flaking paint at 1423 Koster Street and is unable to provide an opinion of probable abatement costs.

7.0 Summary and Conclusions

Based on the information presented in this report, the following conclusions have been reached:

- With the exception of lead, TRPH, and SVOCs, the soil sampled at the site does not appear to exceed established regulatory criteria for any of the analytes.
- One soil sample had lead concentrations greater than the TTLC, while 9 soil samples had lead concentrations greater than the STLC. None of the ground water samples contained lead above laboratory detection limits.
- TRPH contaminated soil was detected across the entire property. TRPH concentrations greater than 1,000 mg/kg were detected in 19 of the 26 borings. The TRPH contamination appears to be a heavy oil hydrocarbon.
- SVOCs were detected above the PRG for specific compounds in one of five soil samples analyzed. SVOCs were not detected in the groundwater samples.
- No correlation between sampling depth or sampling location and lead and TRPH concentration could be ascertained from the results of the chemical analyses.
- Groundwater samples contained arsenic and barium concentrations above their respective State of California Drinking Water Standards. However, this may be due to background conditions. Soil samples collected at the site did not contain elevated levels of barium.
- TRPH concentrations were found in the water, however as none of the VOC and SVOC components were detected above regulatory concern, PSI does not believe that groundwater quality at the site will be a concern. However, additional quarterly monitoring appears to be appropriate to verify groundwater quality.

In-situ technologies for the remediation of TRPH and lead contaminated soil are either ineffective or very costly. Therefore, PSI believes that should remediation be required at this site, excavation of the contaminated soil will be necessary. For cost saving purposes, the contaminated soil could be stockpiled on site for characterization to identify if the soil is hazardous prior to disposal. As an alternative for active remediation, PSI recommends that Caltrans discuss with the local agencies the potential for encapsulating the site and establishing conditional use permits for the site based on the following reasons:

- The contaminants detected typically have low mobility, as shown by the low concentrations found in the groundwater.
- The site is in an industrial area.
- Groundwater in the area of the site has a very low likelihood of being extracted and used by public or private entities.
- Contamination at the site does not appear to be associated with the property boundaries, therefore contamination could be of a regional nature.

1. **Remove and complete** the enclosed Bid Form (be sure to **enter your bid amount**). Be sure to enter the proper amounts called for on the Bid Form. Please enter all **three (3)** amounts.
2. Enclose the Bid Form and the required deposit in an envelope. Make sure to indicate on the OUTSIDE of the envelope “Sealed Bid Sale”, **pending revised date**.
3. Make your deposit payable to the “Department of Transportation”.
NO PERSONAL CHECKS OR CASH WILL BE ACCEPTED. The bid deposit will be by Cashier’s Check, Certified Check, or Money Order.
4. Your name and mailing address should be shown in the upper left-hand corner of the bid envelope.
5. Envelopes not properly marked and opened prior to the sale may be disqualified. All bids must be received by the Caltrans District Office at 1656 Union Street, (corner of Wabash and Union), Eureka, CA **pending revised date**.

NOTE: In order to eliminate possible accidental opening of bid envelopes prior to the advertised time of the bid opening, it is very important the envelope enclosing your bid appears like the sample below:

**SAMPLE OF HOW YOUR BID ENVELOPE SHOULD APPEAR – INCLUDE
YOUR NAME AND ADDRESS**

YOUR NAME & ADDRESS

Department of Transportation
Right of Way – Eureka Excess Lands
1656 Union Street
Eureka, CA 95501

SEALED BID SALE
Pending revised date.

For the purchase of the following real property:

The property is located at 1423 Koster Street, Eureka, CA. SOLD "AS IS".

The undersigned bidder hereby agrees to the terms of this option, and further agrees to pay the State of California, Department of Transportation _____, as full payment for the purchase of said property. Paid herewith is my **\$1,000 bid deposit**. Thereafter, the balance of the option deposit \$_____ (10% deposit less \$1,000 bid deposit) is to be paid on or before **pending revised date**. Thereafter, the balance of the purchase price of \$_____ is to be paid on or before, **pending revised date**.

The successful bidder shall be bound to the terms specified in both the "Option to Purchase" agreement and the "Sealed Bid Sale" brochure.

All provisions of the TERMS OF OPTION TO PURCHASE are hereby specifically incorporated by reference into the terms of this option, and bidder agrees to perform each of the said TERMS.

The property shall be conveyed by the State's Director's Deed to: (Type or print how title is to be vested)_____.

Please check one or more as it applies:

____ Husband and wife as joint tenants
____ Husband and wife as community property
____ A married man as his sole and separate property
____ A married woman as her sole and separate property
____ Joint tenants
____ Tenants in Common
____ As a single man _____ As a single woman
____ Other (Specify) _____

It is also agreed that all notices and matters arising in connection with this transaction will be given to the bidder in person or by certified mail and addressed to:_____.

It is understood that the Department of Transportation shall record said Director's Deed and the undersigned bidder agrees to pay the cost of recording and any document transfer tax when the final balance is paid. Bidder may take possession of said real property as soon as said Director's Deed has been recorded.

It is further understood the bidder acknowledges, by his/her/their signature(s) that he/she/they are aware of possible hazardous waste contamination which may exists on this property.

Signed: _____ **Date:** _____ **Phone:** _____

Signed: _____ **Date:** _____ **Phone:** _____